

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE PROPRIETY)	
OF INTERLATA SERVICES BY BELL SOUTH)	CASE NO.
TELECOMMUNICATIONS, INC., PURSUANT TO)	2001-00105
THE TELECOMMUNICATIONS ACT OF 1996)	

O R D E R

On October 19, 2001, the Commission adopted performance measures, retail analogs, and a penalty plan for BellSouth Telecommunications, Inc. (BellSouth). The plan was identical to that adopted by the Georgia Public Service Commission, with the exception of the LNP Disconnect Timeliness measurement.

The October 19, 2001 Order required BellSouth to file a petition for changes to the performance measures in six months. BellSouth requested and received an extension of 60 days, to June 19, 2002, in which to file its petition regarding performance measures. However, on June 19, 2002, BellSouth petitioned the Commission for an additional 120-day delay. BellSouth seeks only a delay of the review required by the Commission s October 19, 2001 Order, in ordering paragraphs 4, 5, and 7.

BellSouth asserts that the performance measures and penalty plans adopted in Georgia are still under review by the Georgia Commission. As this review is ongoing, BellSouth requests that the Kentucky Commission delay its review of the performance measures. Moreover, BellSouth asserts that the 120-day delay will enable it to incorporate any modifications required by the Federal Communications Commission in the review of BellSouth s interLATA entry application.

BellSouth has filed its LNP Disconnect Timeliness data required by ordering paragraph 4 of the Commission's October 19, 2001 Order, and continues to request that the penalties associated with this one measure be held in abeyance pending further Commission review. To date, no intervenor has objected. The Commission finds this request for 120 additional days reasonable.

Accordingly, the Commission HEREBY ORDERS that:

1. BellSouth's request for a 120-day delay in filing its review of performance measures is granted. Such petition is now due by October 17, 2002.
2. The penalties for the LNP Disconnect Timeliness measurement shall continue to be held in abeyance.

Done at Frankfort, Kentucky, this 15th day of July, 2002.

By the Commission

ATTEST:


Executive Director